

ORAL ARGUMENT NOT YET SCHEDULED
No. 18-3052

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

IN RE: GRAND JURY INVESTIGATION

ANDREW MILLER,

Appellant,

v.

UNITED STATES OF AMERICA,

Appellee.

*On Appeal from the United States District Court
For the District of Columbia
Grand Jury Action No. 18-GJ-34 (BAH)*

**UNOPPOSED MOTION BY APPELLANT TO EXTEND TIME FOR
FILING HIS OPENING BRIEF AND APPENDIX ONE DAY TO
SEPTEMBER 11, 2018**

Pursuant to FRAP 26 (b) and 27(a), and D.C. Cir. R. 28(e)(2), Appellant Andrew Miller respectfully moves this Court for an Order extending the time for Appellant to file his opening brief and appendix one extra day to September 11,

2018 within which to file his brief and appendix. Counsel for United States has been contacted and indicated that they do not oppose this motion.

1. Appellant filed his Notice of Appeal on August 13, 2018, and the appeal was docketed on August 14, 2018. Thereafter, the Court ordered Appellant to file his Docketing Statement, Statement of the Issues, and related papers on August 30, 2018, which he did. The Court further set a compressed briefing schedule requiring Appellant to file his opening brief and Appendix on Friday, September 7, 2018.

2. Due to the expedited nature of the briefing, the complexity of the issues to be briefed, the preparation of the brief and appendix, the filing of Appellant's response to a Motion to Intervene, the intervening Labor Day holiday, and the press of other business, Appellant's counsel, a sole practitioner with limited resources, requested one additional business day to Monday, September 10, 2018, within which to file his opening brief and appendix which was unopposed and granted.

3. In the course of preparing his brief, counsel experienced serious problems with his version of Word that resulted in documents not being able to be edited and saved properly, causing substantial delay in completing the brief for filing today, and thus, he will need an additional day to properly prepare and file the brief and appendix. Counsel regrets any inconvenience caused to the Court and the parties.

WHEREFORE, for good cause shown, Appellant requests that the time to file his opening brief and appendix should be extended to September 11, 2018.

Date: September 10, 2018

Respectfully submitted,

/s/Paul D. Kamenar
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CERTIFICATE OF SERVICE AND COMPLIANCE

Pursuant to FRAP 25(d), the undersigned hereby certifies that on the 10th day of September, 2018, he caused the foregoing Unopposed Motion To Extend The Time To File Appellant's Opening Brief and Appendix to September 10, 2018, to be filed electronically with the Clerk of the Court by using CM/ECF system. The participants in this case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

The undersigned further certifies that the foregoing motion complies with FRAP 27(d)(2)(A) and contains 266 words, as determined by Microsoft Word 2010 and complies with FRAP 32(a (5)-(6) because it has been prepared with proportionally spaced font typeface using Microsoft Word 2010 in 14-point Times New Roman.

/s/Paul D. Kamenar

Paul D. Kamenar